

schneider, marchant

From: schneider, marchant
Sent: Tuesday, June 15, 2010 1:07 PM
To: Brown, Ron
Cc: schneider, marchant
Subject: DUE DATE: 06-23-10 - SPEX Conditions Review - Potomac Interceptor Odor Abatement
Attachments: ZNG SPEX PLAT CHANGES 2010-06-14 .pdf; ZNG ADM DRAFT CONDITIONS - Project Manager Rev 2010-06-15.docx; ZNG COMPOSITE - Project Manager Rev 2010-06-15.docx; SPEX PLAT BOSPH 05-28-10.pdf

Hi, Ron.

Diane Ferrell has provided the attached redline conditions, "composite" explanation of her noted revisions, and a separate list of revisions to the SPEX Plat. I noted one revision I made to Condition 2. An electronic copy of the Plat is also provided.

The application is being sent to the July 7, 2010 Board Business Meeting for action (BOS hearing was June 7, 2010). It would be helpful to have your revisions by June 22.

I would like to discuss with you several of Diane's suggested revisions; specifically, requirements for access easements in addition to the existing sewer easement and suggested requirements for FEMA permits, etc. Please give me a call once you've had a chance to review the documents.

Below is the executive summary for the project.

I'll be forwarding hard copies as well.

Thanks, Ron!

EXECUTIVE SUMMARY

The District of Columbia Water and Sewer Authority of Washington, DC, has submitted applications to permit a sanitary sewer odor abatement facility within an existing sanitary sewer easement associated with Potomac Interceptor (PI). The PI conveys wastewater north from Dulles International Airport and along to the Potomac River to the Blue Plains Advanced Wastewater Treatment Plant in Washington, DC. The sewer line also accepts wastewater flows from Loudoun and Fairfax Counties. The PI Long-Term Odor Abatement Program utilizes a variety of odor abatement techniques to mitigate odor associated with the PI as well as preclude gaseous conditions corrosive to the concrete lining of the PI.

The proposal encompasses a 2.6-acre portion of a 100-acre parcel owned by the Northern Virginia Regional Park Authority (NVRPA) and is identified as "Site #46". The parcel is associated with Algonkian Regional Park to the north and Potomack Sportsplex to the west (See Vicinity Map). The application is subject to the Revised 1993 Zoning Ordinance and the area is governed by the policies of the Revised General Plan (Suburban Policy Area (Potomac Community)) which designate this area for Residential use. Because the subject property lies within the 100-year floodplain associated with Potomac River, the Applicant is required to submit a Special Exception application to request operation of a public utility within the Floodplain Overlay District (FOD). The proposal requires a Commission Permit in accordance with Section 6-1101. The applicant has also requested approval of a Minor Special Exception application to substitute existing vegetation for the minimum Type 4 Buffer Yard required for public utilities.

Marchant Schneider

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COMPOSITE

SUGGESTED SPEX DRAFT CONDITIONS AND SPEX PLAT REVISIONS
BUILDING & DEVELOPMENT ZONING ADMINISTRATION – PROFFER/CONDITION MANAGEMENT
SPEX-2009-0041/SPMI-2010-0001 POTOMAC INTERCEPTOR ODOR ABATEMENT SITE
June 14, 2010 – PAGE 1 of 6

*Zoning staff has reviewed the June 2, 2010 subject draft conditions together with the SPEX plat dated April 21, 2010 revised through May 28, 2010 and provides this composite describing **both suggested draft condition and SPEX plat changes**. Suggested SPEX Draft Conditions are provided without commentary on a separate word document. SPEX plat changes are described on a separate “jpg” document.*

Condition #1 Substantial Conformance:

Sheet 6 describing the required architectural concept should be included here since it is required by draft Condition #4 Architectural Design Elements; where the term “concept” is the operative requirement.

The first SPEX-2009-0040 for a public utility in the PDH4 District has been previously determined to not be required and should be deleted here.

1. **Substantial Conformance.** The proposed Special Exception use set forth below in Condition 2 shall be developed in substantial conformance with Sheets 1, Sheet 4, and Sheet 5, and 6 (together comprising and herein referred to as the “Special Exception Plat”) of the plan set entitled Special Exception / Minor Special Exception Plat / Commission Permit, ~~SPEX-2009-0040 &~~ SPEX-2009-0041 & SPMI-2010-0001 & CMPT-2010-0002, District of Columbia Water and Sewer Authority Potomac Interceptor Long Term Odor Abatement Program – Site 46, prepared by A. Morton Thomas and Associates, Inc., dated April 21, 2010, revised through May 28, 2010 (the “Plans”) and the Revised 1993 Loudoun County Zoning Ordinance (the “Zoning Ordinance”). Approval of this application for a 2.64 acre portion of Tax Map /81/////////116F (PIN# 010-10-0295) (the “Property”), shall not relieve the Applicant or the owners of the Property from the obligation to comply with and conform to any other Zoning Ordinance, Codified Ordinance, or applicable regulatory requirement.

Sheet 1, Note 18 Uses Permitted:

Since a water treatment plant is a different use governed by other codes and regulations, Note #18 on Sheet #1 should delete and replace “water treatment plant” with “odor abatement facility” prior to SPEX approval in accordance with Draft Condition #2 Uses Permitted.

Sheet #2, #3, #4 & #5 SPEX area and “Existing” Parcel Boundary:

The legend on SPEX Existing Conditions sheet #2 includes the universal symbol for a parcel boundary, and shows a parcel that does not yet exist around the proposed facility. The parcel boundary is different on sheet #5. The SPEX sheet #3 shows the universal parcel boundary as well, although the legend describes it as the SPEX area. The submitting P.E. should use a unique SPEX area symbol. Inconsistent parcel boundaries must be corrected. And either this parcel must be established prior to site plan approval or the parcel boundary details must be replaced with a unique SPEX area boundary on all the SPEX plat sheets prior to SPEX approval. NVRPA, the record property owner, together with the DCWASA, the applicant should be consulted prior to Board approval to confirm their mutual intent regarding parcel boundary changes.

Sheet 4 Private Access to the SPEX use area:

Note #16 on SPEX plat sheet #1 describes access to the SPEX use area by a private access easement road from Cascades Parkway/Fairway Drive. The proposed private access road must be shown on Sheet 4, the SPEX plat, not the existing conditions plat that is not referenced in the SPEX preamble condition #1.

2. **Uses Permitted.** Approval of the Special Exception grants 1) approval under the general use “structures or uses required for the operation of a public utility” in the Floodplain Overlay District (SPEX 2009-0041); and 2) modification of the Type Four (4) Buffer Yard required by Section 5-621(B) as set forth in Condition 6 Buffer Area below (SPMI 2010-0001). SPEX 2009-0041 is approved only for that area of the Property shown on Sheet 4 and Sheet 5 as lying within the bold line labeled as “Special Exception Area” (the “Special Exception Area”). Notwithstanding the provisions of the PDH-4 Zoning District use regulations, outside storage of materials/equipment shall not be permitted on the Property within the Special Exception Area.

Condition # 3 SWM:

Sheet 3 & 4, LID:

The “LID” is not apparent on the SWM BMP sheet #3 and is not labeled as such on sheet #4 of the SPEX plat. The “Optional Level Spreaders for Adequate Outfall” label shown on sheet #4 is merely described as an option without reference to LID. Therefore, the term “LID” should be inserted in the label on sheet #4 in accordance with Draft Condition #3 Stormwater Management.

Ponds, wet ponds, and detention basins are not a viable option on this site and should be deleted from this condition in order to avoid any confusion. The intent of this condition is to prohibit an FSM waiver in this environmentally sensitive area since LID is not typically required for the proposed impervious area size on this site. [Sec.6-1310(G) & (H) requires consideration of natural resource preservation and water quality]

3. **Stormwater Management.** The Applicant shall provide a minimum of one (1) Low-Impact Development (LID) design measure in the general location shown on the Special Exception Plat. Prior to site plan approval, in designing such facilities, the Applicant shall consult with the Department of Building and Development to identify and implement LID measure(s) deemed likely to be effective based on the physical characteristics of the Property. ~~Where ponds are proposed to meet this requirement, such ponds shall be detention ponds (wet ponds) or enhanced extended detention basins or similar facilities, and shall be maintained in accordance with the County’s Stormwater Management Ordinance, currently set forth in Chapter 1096 of the Codified Ordinances of Loudoun County, the~~ The LID measure(s) shall ~~will~~ be designed ,implemented, and maintained and implemented in accordance with applicable provisions of the FSM , and the County’s Stormwater Management Ordinance, currently set forth in Chapter 1096 of the Codified Ordinances of Loudoun County.

Condition #4 Architectural Design Elements: *Since “concepts” is the operative term here, use of the word “generally” competes with “shall” and should be deleted in order to enable implementation of this approval condition.*

4. **Architectural Design Elements.** The exterior building design of the Special Exception use shall incorporate the architectural concepts of articulated building façades and the use of varied materials and textures, all as ~~generally~~ depicted on Sheet 6 of the Plans. A written summary of the Applicant’s compliance with this Condition shall be submitted by the Applicant as part of the building/zoning permit for the Special Exception Use to which this Condition applies.

Condition #5 Acoustical Treatment: *An acoustical engineer certified in Virginia must verify compliance with this noise limitation with “building” permit referenced included.*

5. **Acoustical Treatment.** To mitigate potential noise attributed to the Property’s location within Algonkian Regional Park, the proposed use shall be constructed to achieve a maximum exterior noise level of 55 decibels (55 db(A)) measured at the boundary of the Special Exception Area, as certified by ~~an acoustical a-licensed~~ engineer certified in the Commonwealth of Virginia as qualified to evaluate said standard. Documentation under signature/seal by said acoustical engineer describing ~~of~~ the design techniques and materials proposed by the Applicant to achieve the exterior noise levels ~~required by this Condition~~ shall be provided to the County by the Applicant prior to or in conjunction with approval of the first zoning ~~building~~ permit for the Special Exception use.

Condition #6 Buffer Area: *This condition should be a two part Reforestation and ~~Buffer~~ condition based on information shown on SPEX plat sheet #5.*

*New supplemental plantings **cannot** be installed **prior** to site plan approval, so the first phrase should be deleted.*

The 3,500 SF canopy hatched area is the Reforested Area identified on the SPEX plat sheet #5. The ~~Buffer~~ ~~area~~ area is hatched differently on the plat, and the buffer area is much larger than the 3,500 SF reforestation area; so lumping these together would substantially decrease the overall plantings required, and that is not the intent here.

The Buffer Yard area includes a note in the schedule on Sheet #5 to use existing vegetation and without the required fence, together with Sheet #1 note #9 – that is the subject of the Minor Special Exception. The use of existing vegetation for buffer yard eligibility should require County Urban Forester verification prior to site plan approval.

***Native species** should be utilized to the maximum extent possible – not the County Urban Forester!*

Since Draft Condition #1 requires substantial conformance with Sheet #5, “Illustrative” should also be deleted from all Sheet 5 notes and the title block.

6. **Landscaping:**

a) **Reforestation/Buffer Area:** ~~Prior to first site plan approval for any use approved pursuant to SPEX 2009-0041, The~~the Applicant shall supplement existing vegetation to achieve 3,500 square feet of tree canopy cover within the Reforestation hatched area shown on Special Exception Plat Sheet 5 (“~~Illustrative~~ Landscape Plan”). The size, amount, and species of the supplemental plantings shall be determined in consultation with the County Urban Forester.

b) **Buffer Area:** Use of existing eligible vegetation may be used in order to achieve the Buffer Yards shown on Special Exception Plat Sheet 5. [added by project manager: The Applicant will not be required to meet a minimum opacity of 95% required for Type 4 Buffer Yards per Table 5-1414(B) as applied to the subject Property per 5-621(B).]

The Applicant shall utilize native species for new plant material to the maximum extent possible, as determined in consultation with the County Urban Forester, ~~to the maximum extent possible~~. All required supplemental plantings and existing trees shall be depicted on and bonded ~~with the said prior to the~~ first site plan approval, and installed prior to the first Occupancy Permit.

Condition #7 Water Well: *Consistent with similar public utility applications, it is suggested that this language further describe its implementation sequence in order to fulfill its intended purpose at the appropriate time. [Sec.4-1507(C) requires consideration of disease, contamination & unsanitary conditions prevention.]*

7. **Water Well.** The Applicant's use of a private well depicted and labeled as "Proposed Well Location" on Sheet 4 of the Special Exception Plat shall conform to local and state health regulations regarding wells located in proximity to sewer mains and within the 100 year floodplain. The proposed well location shall demonstrate said compliance prior to first site plan approval; and the proposed well use shall demonstrate said compliance prior to issuance of the first zoning permit.

Condition #8 Pedestrian Access: *Note #16 on Sheet #1 indicates Sportsplex pedestrian use of the existing sanitary sewer easement travelway. A public access easement must be established through County B&D no later than first site plan approval for this use. [Sec.6-1310(J) requires consideration of pedestrian safety.]*

8. **Pedestrian Access.** The Applicant shall provide / demarcate a separate pedestrian lane along an existing gravel access road within an existing sanitary sewer easement depicted as "EX. 75' USA SAN SEWER ESMT" on Sheet 2 of the Plans from Cascades Parkway/Fairway Drive to the Special Exception Area during construction of the Special Exception Use. Barriers, markings, signage, flagmen, or equivalent means may be used to meet this Condition. The trail footpath shall be shown on the first site plan prior to approval. A public access trail easement for the trail at this location shall be established prior to first site plan approval.

Condition 9 Signage: *This governmental utility use building mounted sign does not seem to require a sign/zoning permit per Sec.5-1203(A) per Marsha Keim. Please also see draft condition #10 and the related note #22 from sheet #1 of the SPEX plat. This condition should also prevent the two trucks per week plus delivery vehicles travelling through the Cascades SFD residential community. [Sec.6-1310 (E)& (O) requires consideration of safe road development and compatibility with uses in the neighborhood; as well as Sec.4-109.]*

9. **Signage.**

- a) The Applicant shall erect a placard on the southern elevation of the building depicted as "Proposed Building" on the Special Exception Plat noting emergency contact information for the operator of the Special Exception Use. Said placard and associated message shall be depicted on the first site plan for any use approved pursuant to SPEX 2009-0041 and shall be erected prior to Occupancy Permit in such a manner as to be clearly visible to passersby.
- b) Prior to issuance of the first Occupancy Permit, a placard shall be installed on the inside egress at the Loudoun Water area of the site: "Loudoun Water – (LCSA)" vehicle exit only – No DCWASA Vehicle exit through Quarter Path Trace Circle, Fairhills Court, or Algonkian Parkway. The location and content of this placard shall be shown on the first site plan prior to approval.

New First Responder Access Condition #10(a): Note #16 on SPEX plat sheet #1 states that the site access is to be gated. Consistent with similar gated entrance situations, emergency access must be provided at all times. [Sec.6-1310(B) requires provision for safety from fire hazards.].

ANOTHER New First Responder Condition #10(b): Note #12 on SPEX sheet #1 states that granular activated carbon used for removing hazardous materials from the odorous air stream, and further that granular activated carbon is highly flammable and can be considered explosive. Presumably sufficient amounts of this material would be stored on site so as not to interrupt services, and first responders must be aware of this potential hazard. [Sec.6-1310(B) requires provision for safety from fire hazards]

10. Fire, Rescue and Emergency Services:

- a) Prior to issuance of the first Occupancy Permit, the gated entrance at Cascades Blvd./Fairway Drive shall have an installed lock box/padlock to be approved by Loudoun County Fire, Rescue and Emergency Services Department to provide first responder emergency access.
- b) Prior to approval of the first Zoning/Building Permit, the applicant shall provide a copy of the Material Safety Data Sheets to the first responding fire / rescue company and Haz/Mat team (currently Fire Station 19) listing any and all chemicals to include the carbon filter material on site. Prior to issuance of the first Occupancy Permit, the exterior of the entrance gate shall include a placard to specify that the facility has a hazard for fire and explosives, and a sign to include emergency contact information for the operator of the Special Exception Use.

New Subdivision Condition #11: The legend on SPEX Existing Conditions sheet #2 includes the universal symbol for a parcel boundary, and shows a parcel that does not yet exist around the proposed facility. The parcel boundary is different on sheet #5. The SPEX sheet #3 shows the universal parcel boundary as well, although the legend describes it as the SPEX area; the submitting P.E. should use a unique SPEX area symbol. Inconsistent boundaries must be corrected. And either this parcel must be established prior to site plan approval or the parcel boundary details must be replaced with a unique SPEX area boundary on all the SPEX plat sheets prior to SPEX approval. NVRPA, the record property owner, together with the DCWASA, the applicant should be consulted prior to Board approval to confirm their mutual intent.

11. Subdivision: A subdivision waiver to create a new lot of record as shown on the SPEX plat shall be established through the County prior to approval of the first site plan.

New private access easement condition #12: Note #16 on SPEX plat sheet #1 describes access by a private access easement road from Cascades Parkway/Fairway Drive. The legal documents and plat for this easement and its maintenance must be established prior to site plan approval. **And the proposed private access road must be shown on the SPEX plat Sheet #4.** [Sec. 6-1310(J) requires consideration of road connection safety.]

12. Access: The private access easement and privately maintenance road agreement to serve the site per shall be established prior to first site plan approval.

New Floodplain condition #13:

The applicant's statement of justification commits to flood stress building construction. An approval condition must impose this commitment.

And although draft Use condition #2 prohibits outdoor materials storage, Note #12 and #13 on SPEX plat sheet #1 describe abatement carbon saturated with hydrogen sulfide, sulfur dioxide and methane as well as fire suppression agents located within the building. An approval condition should address this potential downstream hazard.

Flood elevations certificates issued by FEMA have been required by the Zoning Administrator prior to ZP issuance in the past for structures in floodplain. [Sec.4-1507(B) requires consideration of danger from materials that may be swept downstream]

13. Potomac River Floodplain: Storage of materials/equipment shall not be permitted within the building below the first floor level elevation of 206.5' as shown on Special Exception Plat Sheet #4. A flood elevation certificate shall be obtained from Federal Emergency Management Agency, and a copy of same shall be submitted prior to approval of the first zoning/building permit.

SUGGESTED DRAFT SPEX CONDITIONS
BUILDING & DEVELOPMENT ZONING ADMINISTRATION
PROFFER/CONDITION MANAGEMENT
SPEX-2009-0041/SPMI-2010-0001 POTOMAC INTERCEPTOR ODOR ABATEMENT SITE
June 14, 2010 – PAGE 1 of 3

SPEX--2009-0041 / SPMI 2010-0001
POTOMAC INTERCEPTOR ODOR ABATEMENT SITE
CONDITIONS OF APPROVAL
(DRAFT)
June 2, 2010

1. **Substantial Conformance.** The proposed Special Exception use set forth below in Condition 2 shall be developed in substantial conformance with Sheets 1, ~~Sheet 4~~, and ~~Sheet 5~~, and 6 (together comprising and herein referred to as the "Special Exception Plat") of the plan set entitled Special Exception / Minor Special Exception Plat / Commission Permit, ~~SPEX-2009-0040 & SPEX-2009-0041 & SPMI- 2010-0001 & CMPT-2010-0002~~, District of Columbia Water and Sewer Authority Potomac Interceptor Long Term Odor Abatement Program – Site 46, prepared by A. Morton Thomas and Associates, Inc., dated April 21, 2010, revised through May 28, 2010 (the "Plans") and the Revised 1993 Loudoun County Zoning Ordinance (the "Zoning Ordinance"). Approval of this application for a 2.64 acre portion of Tax Map /81////////116F (PIN# 010-10-0295) (the "Property"), shall not relieve the Applicant or the owners of the Property from the obligation to comply with and conform to any other Zoning Ordinance, Codified Ordinance, or applicable regulatory requirement.
2. **Uses Permitted.** Approval of the Special Exception grants 1) approval under the general use "structures or uses required for the operation of a public utility" in the Floodplain Overlay District (SPEX 2009-0041); and 2) modification of the Type Four (4) Buffer Yard required by Section 5-621(B) as set forth in Condition 6 Buffer Area below (SPMI 2010-0001). SPEX 2009-0041 is approved only for that area of the Property shown on Sheet 4 and Sheet 5 as lying within the bold line labeled as "Special Exception Area" (the "Special Exception Area"). Notwithstanding the provisions of the PDH-4 Zoning District use regulations, outside storage of materials/equipment shall not be permitted on the Property within the Special Exception Area.
3. **Stormwater Management.** The Applicant shall provide a minimum of one (1) Low-Impact Development (LID) design measure in the general location shown on the Special Exception Plat. Prior to site plan approval, in designing such facilities, the Applicant shall consult with the Department of Building and Development to identify and implement LID measure(s) deemed likely to be effective based on the physical characteristics of the Property. ~~Where ponds are proposed to meet this requirement, such ponds shall be detention ponds (wet ponds) or enhanced extended-detention basins or similar facilities, and shall be maintained in accordance with the County's Stormwater Management Ordinance, currently set forth in Chapter 1096 of the Codified Ordinances of Loudoun County.~~ The LID measure(s) shall will be designed implemented, and maintained and implemented in accordance with applicable provisions of the FSM , and the County's Stormwater Management Ordinance, currently set forth in Chapter 1096 of the Codified Ordinances of Loudoun County.

4. **Architectural Design Elements.** The exterior building design of the Special Exception use shall incorporate the architectural concepts of articulated building façades and the use of varied materials and textures, all as generally depicted on Sheet 6 of the Plans. A written summary of the Applicant's compliance with this Condition shall be submitted by the Applicant as part of the building/zoning permit for the Special Exception Use to which this Condition applies.
5. **Acoustical Treatment.** To mitigate potential noise attributed to the Property's location within Algonkian Regional Park, the proposed use shall be constructed to achieve a maximum exterior noise level of 55 decibels (55 db(A)) measured at the boundary of the Special Exception Area, as certified by an acoustical a licensed engineer certified in the Commonwealth of Virginia as qualified to evaluate said standard. Documentation under signature/seal by said acoustical engineer describing of the design techniques and materials proposed by the Applicant to achieve the exterior noise levels required by this Condition shall be provided to the County by the Applicant prior to or in conjunction with approval of the first zoning / building permit for the Special Exception use.
6. **Landscaping:**
 - a) **Reforestation/Buffer Area:** ~~Prior to first site plan approval for any use approved pursuant to SPEX-2009-0041, The~~ Applicant shall supplement existing vegetation to achieve 3,500 square feet of tree canopy cover within the Reforestation hatched area shown on Special Exception Plat Sheet 5 ("~~Illustrative~~ Landscape Plan"). The size, amount, and species of the supplemental plantings shall be determined in consultation with the County Urban Forester.
 - b) **Buffer Area:** Use of existing eligible vegetation may be used in order to achieve the Buffer Yards shown on Special Exception Plat Sheet 5. [added by project manager: The Applicant will not be required to meet a minimum opacity of 95% required for Type 4 Buffer Yards per Table 5-1414(B) as applied to the subject Property per 5-621(B).]

The Applicant shall utilize native species for new plant material to the maximum extent possible, as determined in consultation with the County Urban Forester, ~~to the maximum extent possible~~. All required supplemental plantings and existing trees shall be depicted on and bonded ~~with the said~~ prior to the first site plan approval, and installed prior to the first Occupancy Permit.
7. **Water Well.** The Applicant's use of a private well depicted and labeled as "Proposed Well Location" on Sheet 4 of the Special Exception Plat shall conform to local and state health regulations regarding wells located in proximity to sewer mains and within the 100 year floodplain. The proposed well location shall demonstrate said compliance prior to first site plan approval; and the proposed well use shall demonstrate said compliance prior to issuance of the first zoning permit.

8. **Pedestrian Access.** The Applicant shall provide / demarcate a separate pedestrian lane along an existing gravel access road within an existing sanitary sewer easement depicted as “EX. 75’ USA SAN SEWER ESMT” on Sheet 2 of the Plans from Cascades Parkway/Fairway Drive to the Special Exception Area during construction of the Special Exception Use. Barriers, markings, signage, flagmen, or equivalent means may be used to meet this Condition. The trail footpath shall be shown on the first site plan prior to approval. A public access trail easement for the trail at this location shall be established prior to first site plan approval.
9. **Signage.**
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 - b) Prior to issuance of the first Occupancy Permit, a placard shall be installed on the inside egress at the Loudoun Water area of the site: “Loudoun Water – (LCSA)” vehicle exit only – No DCWASA Vehicle exit through Quarter Path Trace Circle, Fairhills Court, or Algonkian Parkway. The location and content of this placard shall be shown on the first site plan prior to approval.
10. **Fire, Rescue and Emergency Services:**
- a) Prior to issuance of the first Occupancy Permit, the gated entrance at Cascades Blvd./Fairway Drive shall have an installed lock box/padlock to be approved by Loudoun County Fire, Rescue and Emergency Services Department to provide first responder emergency access.
 - b) Prior to approval of the first Zoning/Building Permit, the applicant shall provide a copy of the Material Safety Data Sheets to the first responding fire / rescue company and Haz/Mat team (currently Fire Station 19) listing any and all chemicals to include the carbon filter material on site. Prior to issuance of the first Occupancy Permit, the exterior of the entrance gate shall include a placard to specify that the facility has a hazard for fire and explosives, and a sign to include emergency contact information for the operator of the Special Exception Use.
11. **Subdivision:** A subdivision waiver to create a new lot of record as shown on the SPEX plat shall be established through the County prior to approval of the first site plan.
12. **Access:** The private access easement and privately maintenance road agreement to serve the site per shall be established prior to first site plan approval.
13. **Potomac River Floodplain:** Storage of materials/equipment shall not be permitted within the building below the first floor level elevation of 206.5’ as shown on Special Exception Plat Sheet #4. A flood elevation certificate shall be obtained from Federal Emergency Management Agency, and a copy of same shall be submitted prior to approval of the first zoning/building permit.

SPEX PLAT CHANGES

BUILDING & DEVELOPMENT ZONING ADMINISTRATION

PROFFER/CONDITION MANAGEMENT

SPEX-2009-0041/SPMI-2010-0001 POTOMAC INTERCEPTOR ODOR ABATEMENT SITE

June 14, 2010 – PAGE 1 of 3

Sheet 1, Note 18 Uses Permitted:

Since a water treatment plant is a different use governed by other codes and regulations, Note #18 on Sheet #1 should delete and replace “water treatment plant” with “odor abatement facility” prior to SPEX approval in accordance with Draft Condition #2 Uses Permitted.

Sheet 3 & 4, LID:

The “LID” is not apparent on the SWM BMP sheet #3 and is not labeled as such on sheet #4 of the SPEX plat. The “Optional Level Spreaders for Adequate Outfall” label shown on sheet #4 is merely described as an option without reference to LID. Therefore, the term “LID” should be inserted in the label on sheet #4 in accordance with Draft Condition #3 Stormwater Management.

Sheet #2, #3, #4 & #5 SPEX area and “Existing” Parcel Boundary:

The legend on SPEX Existing Conditions sheet #2 includes the universal symbol for a parcel boundary, and shows a parcel that does not yet exist around the proposed facility. The parcel boundary is different on sheet #5. The SPEX sheet #3 shows the universal parcel boundary as well, although the legend describes it as the SPEX area. The submitting P.E. should use a unique SPEX area symbol. Inconsistent parcel boundaries must be corrected. And either this parcel must be established prior to site plan approval or the parcel boundary details must be replaced with a unique SPEX area boundary on all the SPEX plat sheets prior to SPEX approval. NVRPA, the record property owner, together with the DCWASA, the applicant should be consulted prior to Board approval to confirm their mutual intent regarding parcel boundary changes.

Sheet 4 Private Access Road:

Note #16 on SPEX plat sheet #1 describes access to the SPEX use area by a private access easement road from Cascades Parkway/Fairway Drive. The proposed private access road must be shown on Sheet 4, the SPEX plat, not the existing conditions plat that is not referenced in the SPEX preamble condition #1.

Sheet #5 Landscape Buffer / Reforestation: *Since Draft Condition #1 requires substantial conformance with Sheet #5, “Illustrative” should also be deleted from all Sheet 5 notes and the title block.*